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PATENT

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DATE: October 14, 2004

NAME: Mc Cofferty

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Colarusso et al.
Serial No:	10/603,367
Filing Date:	June 25, 2003
Title:	DEFORMED REINFORCING BAR SPlice AND METHOD
Group Art Unit:	3679
Examiner:	Ferguson, M.P.
Applicant File No:	ERIC.P0307US October 14, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action dated September 20, 2004, please amend the subject application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2.

Remarks begin on page 8.

10/20/2004 DENMANU1 00000034 180988 10603367

01 FC:1201 4.00 DA 172.00 OP



Attorney Docket # ERIC.P0307US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

APPLICANT: COLARUSSO et al

U.S. SERIAL No.: 10/603,367

Group No: 3679

U.S. FILING DATE: June 25, 2003

Examiner: Ferguson, M.P.

TITLE: DEFORMED REINFORCING BAR SPLICE AND METHOD

**Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450**

AMENDMENT TRANSMITTAL

Warning: Failure to file a complete response in compliance with §1.135© leads to a reduction in patent term adjustment – See §1.704©(7).

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☐ a small entity. A statement:

- ☐ is attached.
☐ was previously submitted.
☒ other than a small entity.

CERTIFICATION UNDER 37 CFR § 1.8(a) and/or 1.10

I hereby certify that, on the date shown below, this correspondence is being:

- ☒ Deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Arlington, Virginia 22313 with sufficient postage as first class mail.
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Signature

October 14, 2004
Date

Kathleen Mccafferty
Typed or Printed Name

EXTENSION OF TIME

NOTE: "Extension of Time in Patent Cases (Supplemental Amendments) – if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run". Notice of December 10, 1985 (1061 O.G. 34-35)

NOTE: See 37 C.F.R. §1.645 for extensions of time in interference proceedings, and 37 C.F.R. §1.550© for extensions of time in reexamination proceedings.

NOTE: 37 CFR §1.704(b) "...an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in §1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."

3. The proceedings herein are for a patent application, and the provisions of 37 CFR §1.136(a) apply.

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. §1.136, fees for which are set out in 37 CFR §1.17(a)(1)-(4), for the total number of months checked below:

	Extension (<u>months</u>)	Fee for other than <u>a small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 420.00	\$210.00
<input type="checkbox"/>	three months	\$ 950.00	\$475.00
<input type="checkbox"/>	four months	\$1,480.00	\$740.00

Fee: \$ _____

therefor. If an additional extension of time is required, please consider this a petition

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$ _____

or

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity			Other than a Small Entity	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREV PAID FOR		PRESENT X-TRA		RATE	ADD FEE	OR	RATE	ADD FEE
TOTAL	25	MINUS	25	=	0	x	\$9 =		x	\$18 =
INDEP	5	MINUS	3	=	2	x	\$43 =		x	\$86 = \$172.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIMS						+	\$145 =		+	\$290 =
						TOTAL ADD FEE		TOTAL ADD FEE		\$172.00

WARNING: "After final rejection or action (§1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 CFR 1.116(a) (emphasis added)

- (c) ☐ No additional fee for claims is required.

Or

- (d) ☒ Fee for Claims Due: \$172.00
- (e) ☒ **TOTAL FEE FOR CLAIMS AND/OR EXTENSIONS: \$172.00**

PAYMENT OF FEES

- ☒ Attached is a ☒ check ☐ money order in the amount of \$172.00

- ☒ Authorization is hereby made to charge the amount of \$_____

☒ to Deposit Account No. 18-0988

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

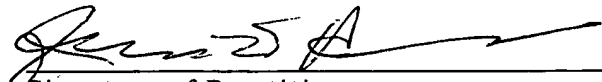
- ☒ Charge any additional fees required by this paper or credit any overpayment in manner authorized above.

A duplicate of this paper is attached.

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986 (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No. **18-0988**.
- and/or**
- ☒ If any additional fee for claims is required, charge Account No. **18-0988**.

RENNER, OTTO, BOISSELLE & SKLAR



Signature of Practitioner

John W. Renner

(Typed or printed name of practitioner)

Registration No. 19,097

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